

Applicant : Thomas C. Richards et al.
Serial No. : 10/633,339
Filed : August 1, 2003
Page : 10 of 10

Attorney's Docket No.: 08935-0294001 / M-5029/Z-
03487

REMARKS

This supplemental response is being filed after the receipt of an advisory action dated 02/27/2009.

35 U.S.C. 112

In the final Office Action dated 01/14/2009, the Examiner rejected claims 1-13, 15, 51-55, 59-70, 83-85, 87 and 89 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Applicant has amended claims 1 and 51 to overcome the rejection. Applicant has removed the amendments that added the word "only" to claims 1 and 51, which were made subsequent to the action of July 22, 2008.

Applicant requests that the Examiner enter these amendments. Entering these amendments is proper because these claims have already been considered by the examiner and the amendment overcomes rejection under 35 U.S. C. 112, first paragraph, raised by the Examiner in the final office action. These amendments place the application in better form for appeal by materially reducing the issues on appeal.

No fee is believed to be due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: March 9, 2009

/Denis G. Maloney/
Denis G. Maloney
Reg. No. 29,670

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945